

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7644

Petition of Burlington Schools PV, LLC for a Certificate)
of Public Good, pursuant to 30 V.S.A. § 248(j),)
authorizing the installation and operation of a 278 kW)
solar electric generation facility to be located at Hunt)
Middle School in Burlington, Vermont)

Order entered: 4/29/2011

ORDER RE: MOTION TO FURTHER EXTEND STAY

On July 14, 2010, Burlington Schools PV, LLC ("BSPV") filed a petition with the Public Service Board ("Board") pursuant to 30 V.S.A. § 248(j) for the construction and operation of a 278 kW solar electric generating facility to be located at Hunt Middle School in Burlington, Vermont. Notice of the petition was sent on August 12, 2010, to all entities specified in 30 V.S.A. § 248(a)(4)(c) and other interested parties. On August 26, 2010, the Board issued a memorandum requiring BSPV to file additional information.

On September 7, 2010, BSPV filed a Motion to Stay proceedings until November 30, 2010. BSPV stated that the proposed project had not been selected to receive the Vermont Business Solar Tax Credit from the Clean Energy Development Fund, and therefore BSPV requested additional time to assess the proposed project's financial viability. On September 29, 2010, the Board granted this Motion.

On November 22, 2010, BSPV filed a Motion to Extend the Stay of proceedings until February 1, 2011. BSPV stated that it was still in discussions with the City of Burlington Electric Department ("BED") regarding the interconnection with BED's system, and therefore BSPV requested additional time to obtain the necessary information regarding the interconnection. On December 15, 2010, the Board granted this Motion.

On January 14, 2011, BSPV filed a Motion to Further Extend the Stay of proceedings until May 1, 2011. BSPV stated that it was investigating the use of distributed inverters, and was

in the process of redesigning the electrical system, and therefore BSPV requested additional time to obtain the necessary information regarding the interconnection with BED's system. On February 3, 2011, the Board granted this Motion.

In the February 3 Order, the Board required BSPV to file for withdrawal of its petition or request that the stay be lifted by May 1, 2011, or to file a request that the stay be further extended by April 15, 2011. The Board also required that, in the event that BSPV requests that the stay be lifted, that BSPV must file the information required by the Board's August 26, 2010, memorandum within ten days of the Board ordering the stay be lifted.

On April 15, 2011, BSPV filed a Motion to Further Extend the Stay of Proceedings regarding BSPV's petition until September 1, 2011. BSPV states that Hunt Middle School will be remodeling parts of its buildings, and that BSPV needs additional time to finalize aspects of the proposed project that might be affected by the school's remodeling. BSPV represents that it has consulted with the Vermont Department of Public Service and the Vermont Agency of Natural Resources regarding the request for additional time, and that neither party objects to the request or has additional comments.

No comments on BSPV's Motion were received.

BSPV's Motion to Extend the Stay of Proceedings is denied. It appears as though the proposed project is not yet ready to be fully considered, and the Board has already granted one stay and two extensions of the stay in this proceeding. It is an inefficient use of the Board's resources to have to consider and rule on these motions every few months, and the Board does not favor keeping open dockets that are not moving toward resolution. BSPV must therefore file the information required by the Board's August 26, 2010, memorandum within ten days of the expiration of the current stay of proceedings. In the event that this information is not filed, the Board will deem BSPV's petition withdrawn and the docket will be closed. Should the petition be withdrawn because BSPV is not yet ready to move forward with the proposed project, we encourage BSPV to refile a petition as soon as all outstanding issues have been resolved.

SO ORDERED.

Dated at Montpelier, Vermont, this 29th day of April, 2011.

s/ James Volz)

) PUBLIC SERVICE

s/ David C. Coen)

) BOARD

s/ John D. Burke)

) OF VERMONT

OFFICE OF THE CLERK

FILED: April 29, 2011

ATTEST: s/ Judith C. Whitney
Deputy Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)